978 264 9119 RECEIVED CENTRAL FAX CENTER

JAN 2 6 2006

Serial No.: 10/781192

Attorney Docket No: 160-017

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at number (571) 273-8300

1/26/2006

Holmes W. Anderson Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal x 2

2 pages

Amendment

5 pages

Total including this sheet

8 pages

RECEIVED CENTRAL FAX CENTER

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

Approved for use through 07/31/2006. OMB 0851-0031

Approved for use through 07/31/2006. OMB 0851-0031

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMS control number. 10/781192 Application Number Feb 18, 2004 TRANSMITTAL Filing Date First Named Inventor Backes, Floyd **FORM** 2681 Art Unit (to be used for all correspondence after initial filling) Examiner Name Beamer 160-017 Attorney Docket Number Total Number of Pages in This Submission (Check all that apply) ENCLOSURES After Allowance communication to (TC) Drawing(s) Fee Transmittal Form Appeal Communication to Board of Licensing-related Papers Appeals and interferences Fee Attached Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Petition Amendment / Reply Proprietary Information Petition to Convert to a After Final Provisional Application Power of Attorney, Revocation Change of Correspondence Address Status Letter Affidavits/declaration(s) Other Enclosure(s) (please identify Terminal Disclaimer Extension of Time Request below): Request for Refund Express Abandonment Request CD. Number of CD(s) Information Disclosure Statement Landscape Table on CD Certifled Copy of Priority Document(s) Remarks PLEASE CHARGE ANY FEE DEFICIENCY OR CREDIT ANY OVERPAYMENT Reply to Missing Parts/ Incomplete TO DEPOSIT ACCOUNT 502569 Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name McGuinness & Manaras LLP Signature Holmes W. Anderson Printed name 37272 Rea. No. January 26, 2006 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. MMLA Signature January 26, 2006 Date Carol Ann Mahoney Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 bours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestors for reducing this burdon, should be sent to the Chief Information Officer, U.S. Petert and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

in you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

From-Steubing, McGuiness & Manaras LLP

PTO/SB/21 (09-04) Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

e and an thin Dance D.	eduction Act of 1995, NO DBFS0	ns are required to respond	to a collection	of informat	ion unicss	it displa	s a valid OMB control number.		
Orace the Paper N	COBCON THE CO.	Application Numb	Application Number 10/781			1192			
TRANSMITTAL FORM		Filing Date		Feb 18, 2004					
		First Named Inve	ntor	Backes, Floyd					
		Art Unit		2681					
(to be used for all correspondence after initial filling)		Examiner Name		Beamer					
Total Number of Pages in This Submission		Atterney Docket	Atterney Docket Number 150-017						
ENCLOSURES (Check all that apply)									
Fee Transm		Drawing(s)			A	fter Allov	vance communication to (TC)		
Fee Attached		Licensing-related	Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences			
		Petition	, i			Appeal Communication to TC (Appeal Notice, Brief, Repty Brief)			
X Amendment / Reply After Final		Petition to Conve	Petition to Convert to a Provisional Application Power of Atterney, Revocation Change of Correspondence Address Terminal Disclaimer			Proprietary Information Status Letter Other Enclosure(s) (please Identify below):			
Affidavits/declaration(s)		Power of Attorney							
Extension of Time Request									
Express Abandonment Request		Request for Refe	ınd						
Information Disclosure Statement		CD, Number of	CD(s)						
—		Landscape	Table on CD						
Certified Copy of Priority Document(s)		Remarks							
Reply to Missing Parts/ Incomplete Application		PLEASE CHARGE ANY FEE DEFICIENCY OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT 502569							
Reply to Missing Parts under 37 CFR 1.52 or 1.53							<u></u>		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT									
Firm Name McGuinness & Manaras LLP									
Signature ALA V. GA									
Printed name Holmes W. Anderson									
Date January 26, 2006			Reg, No.			37272			
CERTIFICATE OF TRANSMISSION/MAILING									
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.									
Signature	MOM	honey							
Typed or printed na	ime Carol Ann Mahoney	-				Date	Jamuary 26, 2006		
1 .364 6	1	ν							

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any including gathering, preparing, and submitting the complete this form and/or suggestions for reducing this burdon, should be sent to the Chief Information Officer, comments on the amount of time you require to complete this form and/or suggestions for reducing this burdon, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTQ-9199 and select option 2.

Group Art Unit: 2681

Examiner: Beamer

JAN 2 6 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Backes

Application No.: 10/781192

Filed: 2/18/2004

Title: Wireless Channel Selection Apparatus Including

Scanning Logic

Attorney Docket No.: 160-017

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE UNDER 37 CFR 1.111

Dear Sir:

In response to the Office Action of October 27, 2005, please amend this application as follows: